

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

<p>ALEXUS MURPHY, MARKITTA WITCHER, and DIANE HAINES, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>ACTIVE INTEREST MEDIA, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 22-cv-12159</p> <p>Hon. Jonathan J.C. Grey</p>
---	--

**JOINT STATUS REPORT**

Pursuant to the Court’s July 13, 2023 Stipulated Order (ECF No. 38), Plaintiffs Alexis Murphy, Markita Witcher, and Diane Haines (“Plaintiffs”) and Defendant Active Interest Media, Inc. (“AIM,” together with Plaintiffs, the “Parties”) submit this Joint Status Report to update the Court on the status of their mediation efforts.

On August 28, 2023, the Parties participated in a mediation before the Honorable Wayne R. Andersen (Ret.), formerly of the Northern District of Illinois and now a JAMS Mediator. While the mediation did not result in a settlement that day, it was productive, and Judge Andersen has issued a mediator’s proposal, with a deadline of September 11, 2023, for the Parties to respond. If the Parties accept the

mediator's proposal, Plaintiffs will file a Notice of Voluntary Dismissal pursuant to Fed. R. Civ. P. 41 within 30 days. If the Parties reject the mediator's proposal, they will submit a Joint Status Report by September 13, 2023, to inform the Court that the pending motion to dismiss must be decided.

/s/ E. Powell Miller

THE MILLER LAW FIRM, P.C.  
E. Powell Miller  
Sharon S. Almonrode  
950 W. University Drive, Suite 300  
Rochester, MI 48307  
248-841-2200  
[epm@millerlawpc.com](mailto:epm@millerlawpc.com)  
[ssa@millerlawpc.com](mailto:ssa@millerlawpc.com)

BURSOR & FISHER, P.A.  
Joseph I. Marchese  
Philip L. Fraietta  
1330 Avenue of the Americas, 32nd  
Floor  
New York, New York 10019  
Tel: 646-837-7150  
[jmarchese@bursor.com](mailto:jmarchese@bursor.com)  
[pfraietta@bursor.com](mailto:pfraietta@bursor.com)

HEDIN HALL LLP  
Frank S. Hedin  
1395 Brickell Ave  
Suite 900  
Miami, FL 33131  
305-357-2107  
[fhedin@hedinhall.com](mailto:fhedin@hedinhall.com)

*Attorneys for Plaintiffs*

/s/ Kristen C. Rodriguez (w/ permission)

DENTONS US LLP  
Kristen C. Rodriguez  
Deborah H. Renner  
233 S. Wacker Drive, Suite 5900  
Chicago, IL 60606-6404  
Tel: (312) 876-8000  
[kristen.rodriguez@dentons.com](mailto:kristen.rodriguez@dentons.com)  
[deborah.renner@dentons.com](mailto:deborah.renner@dentons.com)

DENTONS DAVIS BROWN, P.C.  
Katelynn T. McCollough  
Davis Brown Tower  
215 10th Street, Suite 1300  
Des Moines, Iowa 50309-3993  
Tel: (515) 246-7831  
[katelynn.mccollough@dentons.com](mailto:katelynn.mccollough@dentons.com)

CLARK HILL PLC  
Peter B. Kupelian (P31812)  
Carol G. Schley (P51301)  
151 South Old Woodward Avenue,  
Suite 200  
Birmingham, MI 48009  
Tel: (248) 530-6336  
[pkupelian@clarkhill.com](mailto:pkupelian@clarkhill.com)  
[cschley@clarkhill.com](mailto:cschley@clarkhill.com)

*Attorneys for Defendant*

Dated: September 5, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that on September 5, 2023, I electronically filed the foregoing document(s) using the Court's electronic filing system, which will notify all counsel of record authorized to receive such filings.

/s/ E. Powell Miller

E. Powell Miller (P39487)

**THE MILLER LAW FIRM, P.C.**

950 W. University Dr., Ste. 300

Rochester, MI 48307

Tel: (248) 841-2200

epm@millerlawpc.com